

Florence, New Jersey 08518-2323  
September 22, 2020

The regular meeting of the Florence Township Planning Board was held on the above date at the Municipal Complex, 711 Broad Street, Florence, NJ and by virtual means via Webex. Vice Chair Montgomery called the meeting to order at 7:30 p.m. followed by a salute to the flag.

Vice Chair Montgomery then read the following statement: "I would like to announce that this meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been provided to the official newspapers and posted in the main hall of the Municipal Complex."

Upon roll call, the following members were found to be present:

Ray Montgomery	Carl Mattson
Wayne Morris	John Pagano (joined remotely at 7:35 p.m.)
Mayor Craig Wilkie	Bridget Wiese
Councilman Bruce Garganio	

ABSENT: Jon Swanson

ALSO PRESENT: Solicitor David Frank  
Planner Barbara Fegley  
Engineer Jim Biegen

#### ELECTION OF NEW CHAIRPERSON

Vice Chair Montgomery stated that the first order of business, unfortunately, is the resignation of Chairman Mildred Hamilton-Wood. He then read Ms. Hamilton-Wood's resignation letter.

Mayor Wilkie moved that the Board accept Ms. Hamilton-Wood's letter with regret and made the Motion to nominate Ray Montgomery for Chairman and John Pagano to be Vice Chairman. Councilman Garganio seconded the Motion. There were no other no nominations. Motion unanimously approved by all members present.

Chairman Montgomery thanked the members of the Board and thanked Ms. Hamilton-Wood for her many years of service to the Board.

#### RESOLUTIONS

- A. Resolution PB-2020-09: Approving Request for Extension of Approval to Firenze Properties for Preliminary & Final Major Site Plan on property located at 20 & 50 Harkins Drive, Florence Township; Block 159, Lots 5.01 & 5.04.

It was the Motion of Mayor Wilkie, seconded by Mr. Mattson to approve Resolution PB-2020-09.

Upon roll call, the Board voted as follows:

YEAS: Wilkie, Mattson, Garganio, Morris, Pagano, Wiese, Montgomery

NOES: None

ABSTAIN: None

Motion carried

#### MINUTES

It was the Motion of Mr. Mattson, seconded by Mr. Morris to approve the minutes of the August 25, 2020 Regular meeting as submitted. Motion unanimously approved by all members present.

### CORRESPONDENCE

- A. 09/04/20: Soil Erosion and Sediment Control for 2001 Route 130 Associates, LLC
- B. 08/25/20: Engineer Biegen's letter regarding Szucs Meat Market
- C. 09/16/20: Solicitor Frank's email regarding Szucs Meat Market
- D. 09/14/20: Burlington County Planning Board's letter regarding B. 148.06, L. 2 (B&H Photo)

It was the Motion of Councilman Garganio, seconded by Mr. Mattson to receive and file correspondence A - D. Motion unanimously approved by all members present.

### APPLICATIONS

- A. Application PB#2020-06: PTR Holdco, LLC request for Amended Preliminary & Final Major Site Plan to construct a solar field on property located at 1200 Florence Columbus Road, Florence Township, Block 173, Lots 1, 2, 3.02 & 3.03.

Emily Givens appeared representing the applicant, PTR Holdco LLC and Pro-Tech Energy Solutions. She stated they have provided the appropriate notices to the 200' list as well as publication in the newspaper. The project is for Amended Preliminary and Final Major Site Plan approval along with certain submission waivers and bulk variance relief in order to construct a 7.3-megawatt ground mounted solar energy facility on a capped landfill. A larger version of this project was approved by this Board in March 2013 for a 9.2-megawatt facility. They received the review letters from Planner Fegley, Engineer Biegen and Fire Official Richardson and have provided a point by point response to those letters. With Ms. Givens was Barry Skoultchi, Professional Engineer and applicant's representative and Mark Zelina, Project Engineer with Whitman.

Mr. Skoultchi and Mr. Zelina were both sworn in by Solicitor Frank. After hearing Mr. Skoultchi's and Mr. Zelina's qualifications, Mr. Skoultchi was accepted as an expert witness in site and civil engineering and Mr. Zelina was accepted as an expert witness in environmental engineering.

Mr. Skoultchi stated he has been involved with this project for over 6 years. He explained this property is a former landfill that operated from 1980 to 1990 as a sanitary landfill. It was designated as a federal superfund site and underwent a full environmental assessment, clean up and capping that was completed in early 2000's. The facility is closed landfill. The environmental controls in place include a storm wall around the perimeter, capping on top that ranges from 4 – 6 feet thick and there is a leachate control system. Currently the NJDEP is responsible for the operations and maintenance of all the activities on the landfill. With the originally approved plans, the system size was larger at 9.2 megawatts. This amended application is for 7.3.

Mr. Skoultchi went over the other differences from the originally approved application that will actually make the system more environmentally friendly to the property and allows the removal of previous waivers and variances that were necessary for the prior project. They will be constructing the system entirely on the capped surface. Previously, it was extended over 30 acres that was to the south of the landfill and would require the removal of trees. No trees will be cut down with this amended project. Additionally, a portion of the cap to the west, previously termed Array A, will not be constructed. The panels will be put on what has been designated as Arrays B, C and D. The cap, when designed, was designed with drainage in mind. There are channels, collection points and discharge points. The other change is the system was originally going to be interconnected at the street and the line was going to run about 4.5 miles to the south to connect to a substation. By chance, they have an alternative right next door. There is currently a landfill gas generative complex that is operated by Marine Energy and the landfill is operated by Burlington County. They now propose to connect right into that infrastructure. It is ideal for their system. They already have approval for the interconnection overseer, PGM. They are basically taking the power from their site

and connecting it with the existing infrastructure right next door which will power the grid. There had been discussions about a wetland buffer line and there were some panels that would have potentially been encroaching on those lines. This will no longer be an issue because where that would have occurred, they no longer propose to put panels in that area. Their goal is to make this project simpler.

Councilman Garganio asked if the property was still Burlington County's and if they would be leasing the property from them or if they've purchased the landfill. Mr. Skoultchi stated they did not purchase the landfill and are facilitating a lease of the landfill for 20 years with several 5-year extensions. His company will be developing and building the project. The project will then be acquired by Marine Energy who will be the long-term asset owner and operate the system.

Councilman Garganio confirmed they are staying inside of the existing roadway surrounding the landfill. Mr. Skoultchi stated they will not touch the roadway. They propose to now only go 150 – 200 feet with the power to interconnect into an existing switch that connects to existing distribution lines. They are staying completely within the fenced boundary of the site.

Councilman Garganio confirmed that the mounting into the cap will not bother the leachate system or drainage. Mr. Skoultchi stated their system is a ballasted ground mount system. There are tubs placed on gravel, the tubs are filled with concrete and posts are put in, cross members are installed and then panels adhere to the racking system. All of their wiring is above ground. There will be no penetration of the cap.

Mr. Zelina presented Exhibit A-1, an overlay of the entire site plan that depicts all the improvements, as well as the property lines and municipal boundary lines which were highlighted for ease of understanding. He pointed out the yellow line is the boundary line and the tract itself is 88 acres. The site itself is not only in Florence Township, but extends into Mansfield and Springfield Townships. This application only takes into consideration the 75 acres within Florence Township. The red line shown on the plan is the municipal boundary line between Mansfield and Springfield. The significance is they are requesting a setback variance for the rear yard. The rear yard setback requirement for Florence Township is 50 feet. Their panels are setback a distance of 40 feet from the municipal boundary line, or the lot line within Florence Township. The actual setback to the perimeter boundary is 184 feet. Technically, it is a variance; but, the actual setback from the boundary perimeter exceeds the minimum of the Florence Township requirement.

Mr. Zelina explained the blue areas on the plan are the 3 areas containing Arrays B, C and D. Arrays A & E that were originally approved are no longer included in this amended application. Array E required the removal of trees for the construction of those panels; whereas, this amended application does not require removal of any trees.

He continued by stating the gray area is a series of contour lines on their plan. The landfill itself has steep slopes, but flattens out on the top. All the panels will be constructed on top of the landfill on areas that range between 5% and 10% in slope, but the side slopes shown around the perimeter of the landfill are much steeper. The exhibit helps illustrate the change in elevation from the Assiscunk Creek along the eastern boundary of the property versus the elevation of where the panels will be constructed. The elevations along the creek are approximately 15 feet. The elevation changes about 40 feet along the slope along the eastern stream bed. The elevations being talked about on top of the landfill are between 50 feet to a high point of 70 feet. The importance of this is that there are no flood plains or wetlands being disturbed by the proposed construction. The new configuration of all the panels are situated on top of the landfill on an existing grassed area that will remain grass after construction but for the concrete tubs, or ballasts, that are going to be used to support and hold down

the panels themselves. There will be close to 18,000 panels associated with the project: 7,000 in Array B, 5,000 in Array C, and roughly 5,000 in Array D. The entire disturbed area of the project site is just under 20 acres. The whole project site within Florence Township is about 75 acres, and the percentage of the disturbance of the site remains rather small.

Mr. Zelina explained that in regards to the location of the site, Cedar Lane Extension runs along the western edge of the site. The prior application proposed a driveway at the southerly location, which is now not a part of this application. The sole access to the property will be from the existing driveway which comes off of Cedar Lane Extension to the pump house. The existing roadway on the site is constructed of gravel, which was constructed as part of the original cap. It is 12-foot-wide driveway comprised of 12 inches of stone over a geotextile fabric. That road extends onto the cap and circles both Arrays B and D and provides access between Arrays C and D. There is appropriate circulation around the entire site.

During the construction of the cap itself, there were swales and culverts constructed to accommodate the drainage running off the landfill. These direct the runoff to existing swales, or ditches, on the property. There are also wetlands and the Assiscunk Creek to the east. Although there is some impervious coverage being added to the site by the ballasts they are proposing, the extent of that impervious coverage is on the magnitude of less than 1% of the entire site itself. They calculated approximately 30,000 sq. ft. total of impervious coverage with the round ballast pods. With the fact that the existing landfill itself is capped with an impervious cover, an increased runoff will not be measurable or observable based on all the construction being proposed as a result of this project.

The existing Marine Energy facility is along the driveway to the north of the property. The building is just outside the property line and will be connected to a transformer to the north of Array B, connected by ground mounted lines off the cap and overhead lines to connect to the building. There will be no off-site connection or disturbance required for any of the improvements associated with the project itself. This is a great reuse of a facility.

Mr. Morris asked what type of security will be around the facility. Mr. Zelina stated the entire site is fenced with a locked gate. The fence and gate will be maintained with a keypad that emergency personnel will have the code to be able to access the property.

Mr. Garganio mentioned one of the problems in the past with this facility was the odor and is not 100% sure that we currently get any from this landfill since it has been shut for a long time. Mr. Skoultchi stated that the landfill is capped and there are currently no odors from this landfill; however, there are odors from the landfill next door that is still in operation. The solar will entirely be on top of the cap and the system will operate as is. The leachate overtime has decreased substantially which will continue to be operated and maintained by the NJDEP.

Ms. Givens stated this concludes their testimony. She mentioned that they have provided responses to the professionals and they are in agreement with all of their comments and believes they have addressed most of the testimony they requested. Solicitor Frank asked Ms. Givens if he were to draft an approval condition that said the applicant will submit compliance documents that address the plan detail and design comments set forth in the board professional's letters, that would be an acceptable condition? Ms. Givens stated it would.

Fire Official Richardson came forward to address his review letter and was sworn in by Solicitor Frank. Fire Official Richardson explained that item #1 is his letter dealt with the access to the site and the applicant has agreed to. He met with the county fire marshal regarding this site, as the site crosses the boundaries between Mansfield and Florence and deals with the county as well, and that is the reason for the suggestion for the coded box on the gate. Central Dispatch will have that

information so that code is available for the emergency personnel responding to the site. Item #2 dealt with the fire department's ability to circumnavigate the site. In talking with the applicant, the existing road which surrounds the property is roughly 12 feet wide. From a code standpoint, 20 feet is the desired width; however, it is an existing site and the applicant did agree to meet him on location for a review of the site. and if there are any areas that require improvements, those improvements will be made. Mr. Skoultchi stated that is correct. Fire Official Richardson stated the 12-inch base should be able to support the equipment that the fire department has. Item #3 dealt with the leachate. If there was any sort of a fire on site, that is where the fire department would put their engines and tankers. From a weight comparison standpoint, the vacuum truck for the leachate and the fire department's tanker are equally sized in weight; both are 3,000+ gallon units. He finds this acceptable. The last item is that the applicant has agreed to train the fire department in the safe operation of working in and around the solar panels in an emergency. He stated the applicant has satisfied his comments.

Planner Fegley stated her letter is dated 9/14/20 and the applicant is correct that they provided responses to everything. There were a number of bulk variances that were required, most of which were required in the prior application. She stated that the applicant did not testify to sidewalk along Cedar Lane. Ms. Givens stated they would like to make a payment in lieu of sidewalks. Planner Fegley did state their decommissioning plan does meet the requirement of the ordinance. She stated she did have some site plan and design comments; one of which was her concern of the slopes and construction on the slopes. She stated that basically they have addressed everything.

Engineer Biegen stated his review letter is dated 9/16/20 and the information the applicant provided in addressing his comments is adequate. He stated he has no objection to the granting of the requested waivers. There was a submission of the decommissioning plan; however, he would like one step added to that plan that the NJDEP is notified of any cap disruption also as part of the decommissioning plan. There is what is called a Cap Disruption Permit which the applicant is currently under review for at the NJDEP. This is so the NJDEP knows that there will be some type of activity on top of the landfill cap and the DEP will review the proposed construction. Lastly, there was one comment regarding consolidation of the tax map lots and he would like the applicant to confirm that that is acceptable. Ms. Givens stated that is acceptable and she will consult with the tax assessor for the new lot number. Mr. Skoultchi stated that with respect to the decommissioning plan, the NJDEP will be notified and he confirmed that they are currently in discussions with the NJDEP for a landfill disruption permit, which is required any time that you change the use or disturb the cap.

It was the Motion of Mr. Morris, seconded by Mr. Mattson to open the meeting for public comment on this application. Motion unanimously approved by all members present.

Hearing nothing from those attending remotely, it was decided to unmute each attendee one at a time and ask if they had any comment. This was done to ensure the opportunity to all those attending remotely to offer their comments should they have one. No members of the public attending remotely were seeking to comment on this application. There were no members of the public in attendance in person.

Seeing no one wishing to speak, Councilman Garganio made a Motion to close public comment, seconded by Mr. Mattson. Motion unanimously approved by all members present.

Solicitor Frank stated the Board has before them an application for Amended Preliminary & Final Major Site Plan for a 7.3-megawatt solar facility which has been downsized from the originally approved application. The applicant has eliminated most of the concerns that were in the original

application. They do need one variance which is almost not a variance because the property itself extends into the neighboring municipality and this is a setback to the municipal boundary. The applicant has agreed to provide keypad access for emergency management; they've agreed to address the plan review and design comments in the Board Planner's and Engineer's letters; they've agreed to meet with the Fire Code Official at the site to address any turn points in the existing road to ensure that this proper turning radius for fire apparatus; and the applicant has also agreed to provide initial, and he would like to add "upon request" as well, orientation on safe entry and operation within the facility to township first responders. Ms. Givens stated they will agree to that condition. Solicitor Frank stated Engineer Biegen requested a certain provision in the decommissioning plan that NJDEP would be notified and a permit required for any disruption to the landfill cap. The applicant agreed to lot consolidation by deed and to making a payment in lieu of sidewalks. The usual conditions that have to do with taxes, escrows and outside agencies will also be included.

It was the Motion of Councilman Garganio, seconded by Mr. Mattson to approve application PB#2020-06 with the conditions noted by Solicitor Frank.

Upon roll call, the Board voted as follows:

YEAS: Garganio, Mattson, Morris, Wiese, Wilkie, Montgomery

NOES: None

ABSTAIN: None

Motion carried

It was noted that Mr. Pagano, who was attending remotely, had left the meeting.

#### OTHER BUSINESS

There was no other business to discuss.

#### PUBLIC COMMENT

It was the Motion of Mr. Morris, seconded by Councilman Garganio to open the meeting for public comment on any matter. Motion unanimously approved by all members present.

Information regarding how to virtually attend this meeting had been provided on the township website. All remote attendees were identified and were unmuted one at a time and asked if they had any comments. No members of the public attending remotely were seeking to comment on any item. No members of the public were in attendance in-person at this time.

Hearing no one wishing to speak, it was the Motion of Mr. Morris, seconded by Mr. Mattson to close public comment. Motion unanimously approved by all members present.

#### MASTER PLAN DISCUSSION

Mayor Wilkie stated he had hoped to have one of the elements discussed at this meeting, but that was unable to happen and hopes to have discussion ready for the October meeting.

#### ADJOURNMENT

It was the Motion of Mr. Mattson, seconded by Mr. Morris to adjourn the meeting at 8:34 p.m. Motion unanimously approved by all members present.

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Wayne Morris, Secretary